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EXAMINER	
SHALWALA B	15
ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 10/29/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☑ This application has been examined ☑ Responsive to communication filed on 9/25/96 ☑ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____.

Part II SUMMARY OF ACTION

1. ☑ Claims 1-44 are pending in the application.

   Of the above, claims _____ are withdrawn from consideration.

2. ☑ Claims 1-2, 5-6, 8-37 have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☑ Claims 3-4, 7, 38-44 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____. has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).

12. ☑ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☑ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.

13. ☐ Since this application apppears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

PTOL-326 (Rev. 2/93)

1. Applicant's arguments filed 5/12/95 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant has argued in substance that,

1. Sasaki et al. and Kobayashi et al. do not show when second memory means is detached from apparatus, control information is copied from second memory means to first memory means, and when third memory means is attached to the apparatus, the control information copied from second memory means and stored in first memory means is copied to the third memory means.

2. Regarding newly added claim 38, prior art fails to disclose or suggest image processing system, including memory means for storing an image signal outputted from image pickup means and being capable of being attached to and detached from the system and reproducing means for reproducing the image signal stored by the storing means and producing condition information representing a condition in which the image signal is picked up by the image pickup means on the basis of the image signal.

In the reply examiner states the following:

As to point 1, examiner do not agree with the arguments. Sasaki shows (fig. 10, col. 9, lines 1-35), in step ST2, directory of information indicating mode, WB, exposure, shutter etc. (which is condition information, or second information) are

written in the directory area of the memory card (second memory). In step ST5, it is detected whether sufficient number if data blocks are present in the second memory, if not, a new memory card (third memory) is set in step ST8. Program is then starts at step ST2, and in newly inserted card (third memory) directory data is written in the directory area of the new memory card (third memory). Further in step ST7, photographing data, and image data, which have been stored in buffer memory 316 (first memory) are stored in the memory card 15 (second memory) (see col. 9, lines 33-35), in case new card is used (third memory), then the photographing data, and image data, which have been stored in buffer memory 316 (first memory) are stored in the memory card 15 (third memory). Thus the condition information is already present in the first memory, to control signal pickup, and it is not lost in the process of replacing the second memory. Further, Sasaki also shows condition information copied from the second memory 15 (fig. 11) to the first memory 95. Thus the teaching is there to copy condition information from second memory to the first memory. However, this first memory is in reproduction unit, examiner has relied on another prior art of Kobayashi et al. to show that, recording and reproducing circuit for recording and reproducing additional information such as an operation characteristic of camera onto or from the optical disk apparatus (second memory).

As to point 2, examiner does not agree with the remarks, Sasaki et al. does show reproducing means in fig. 11, col. 9, line 36 to col. 10, line 40.

2. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119, which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 38-44 are rejected under 35 U.S.C. § 102(b) as being anticipated by Sasaki et al. U.S.Patent 5,034,804.

As to claim 38, Sasaki shows (fig. 1, 2, 6A, 6B, 9B, 9E and 11; col. 6, line 11 to col. 9, line 35; col. 9, line 35 to col. 10, line 40) an image processing system, comprising;

Image pickup means 26 (see col. 4, line 23-25);

Memory means, a memory card 15 capable of storing the image signal with the condition information. The second memory being detachably attached to the apparatus (see figs. 6A, 6B; col. 7,

line 60 to col. 8, line 68; specifically col. 8, lines 47-50; col. 4, lines 8-11);

Reproducing means for reproducing the image signal stored by storing means and producing condition information representing a condition in which the image signal is picked up by the image pickup means on the basis of the image signal (see fig. 11; col. 9, line 35 to col. 10, line 40; specifically col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 39, Sasaki further shows, signal processing means CPU 102 for performing a predetermined processing on the image signal reproduced by the reproducing means on the basis of the condition information (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 40, Sasaki further shows, holding means, frame memory 95, for holding the condition information, signal processing means performing a processing on image signals other than the image signal used to produce the condition information, on the basis of the condition information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 41, Sasaki further shows designating means (CPU 102) for designating a reference signal from among image signals stored in the memory (see col. 9, lines 40-46, file number is reference signal).

As to claim 42, Sasaki further shows, reference signal (file number), designated by the designating means (keyboard 104, col. 9, lines 40-46).

As to claim 43, Sasaki further shows, holding means, frame memory 95, for holding the condition information, signal processing means performing a processing on image signals other than the reference signal on the basis of the condition information held by the holding means buffer memory 95 (see col. 9, lines 52-55, col. 10, lines 11-13).

As to claim 44, Sasaki further shows, displaying means for displaying an image associated with an image signal outputted from the signal processing means (se col. 10, lines 21-40; fig. 11, item 107).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention

were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

6. Claims 3, 7 are rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki et al. U.S.Patent 5,034,804, in view of Kobayashi et al. U.S.Patent 5,274,457.

As to claims 7, Sasaki shows (fig. 1, 2, 6A, 6B, 9B and 9E; col. 6, line 11 to col. 9, line 35) an image pickup apparatus, comprising;

Image pickup means 26 (see col. 4, line 23-25);

First memory 316 capable of storing an image signal output from the image pickup means and condition information from WB sensor 17 and exposure sensor 19 color separation/gamma/WB circuit 272 representing a condition in which the image signal is picked up by the imaging means (see figs. 6A, 6B; col. 6, line 11 to col. 7, line 59);

Second memory means a memory card 15 capable of storing the image signal with the condition information. The second memory being detachably attached to the apparatus (see figs. 6A, 6B; col. 7, line 60 to col. 8, line 68; specifically col. 8, lines 47-50; col. 4, lines 8-11);

Third memory means capable of storing the image signal with condition information, third memory means being detachably attached to the apparatus, (third memory is a new memory card,

which is used when the memory card is being filled, and new card is installed, see col. 8, line 56 to col. 9, line 35);

Signal processing means CPU 241, and signal processing circuit 311 as a signal processing means for performing a predetermined processing on the image signal on the basis of condition information representing the condition in which the image signal is picked up by the image pick up means, from WB sensor 17 and exposure sensor 19 (see fig. 6A, 6B);

Control means CPU 241 for controlling the condition information so as to transferred between the first memory and second memory via memory interface circuit 317 (see fig. 10; col. 9, lines 1-35). In step ST2, directory of information indicating mode, WB, exposure, shutter etc. (which is condition information, or second information) are written in the directory area of the memory card (second memory). In step ST5, it is detected whether sufficient number if data blocks are present in the second memory, if not, a new memory card is set in step ST8. Program is then starts at step ST2, and in newly inserted card directory data is written in the directory area of the new memory card (third memory). Further in step ST7, photographing data stored in buffer memory 316 (first memory) are stored in the memory card 15 (see col. 9, lines 33-35). Thus the condition information is already present in the first memory, to control signal pickup, and it is not lost in the process of replacing the second memory,

when second memory is removed when it is full, and replaced by the new memory card, third memory. Further, Sasaki also shows in fig. 11 and col. 9, line 40 to col. 10, line 35 a reproduction of data by controlling the condition information, with stored image data to be transferred from second memory 15 to the first memory 95, which also stores image signal output from the image pick up means and stored in the second memory. Thus the teaching is there to copy condition information from second memory to the first memory. However, this first memory is in reproduction unit. thus Sasaki does not teach condition information copied from the second memory to the first memory. However, transferring additional information such as an operational characteristics of the camera onto or from the optical disk of a camera, which is a second memory (see abstract; fig. 1; col. 5, lines 12-30, col. 10, lines 18-24), in a similar art of digital electronic still camera having removable record means is shown by Kobayashi. It would have been obvious to one of ordinary skill in the art at the time of the invention, to include the transferring additional information such as an operational characteristics of the camera onto or from the optical disk of a camera, which is a second memory as shown by Kobayashi, in the CPU 241, and first memory 316 of Sasaki, so that the conditional information can be copied from the second memory to the first memory, to provide additional freedom of transferring data stored in the memory.

As to claim 3, Sasaki further shows condition information includes white balance control data associated with the image signal (see col. 8, lines 46-50).

7. Claim 4 is rejected under 35 U.S.C. § 103 as being unpatentable over Sasaki in view of Kobayashi, and Nakane et al. U.S.Patent 5,086,345.

As to claim 4, Sasaki further shows that second memory means includes a memory card 15, which consists of RAM memory, and does not show second memory includes a magnetic disk. Memory means including magnetic disk is well known in the art as shown by Nakane et al. Nakane shows in fig. 1, item 1 a magnetic disk (see col. 3, line 57). It would have been obvious to one of ordinary skill in the art at the time of invention in the imaging apparatus, to include the second memory including a magnetic disk as shown by Nakane in the apparatus of Sasaki, to provide an alternate second memory including magnetic disk.

8. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL.** See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS

ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bipin Shalwala whose telephone number is (703) 305-4938.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-8576.

BS

LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
GROUP 2600